

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED  
CENTRAL FAX CENTER

FEB 01 2005

Atty. Docket: EINAT=4.1C

In re Application of:	)	Conf. No.: 7736
Paz EINAT et al	)	Art Unit: 1637
Appln. No.: 09/802,472	)	Examiner: Young J. Kim
Filed: March 9, 2001	)	Washington, D.C.
For: SEQUENCES CHARACTERISTIC	)	February 1, 2005
OF HYPOXIA-REGULATED GENE	)	
TRANSCRIPTION	)	

## COMMUNICATION

Honorable Commissioner for Patents  
Randolph Building, Mail Stop Amendment  
401 Dulany Street  
Alexandria, VA 22314

Sir:

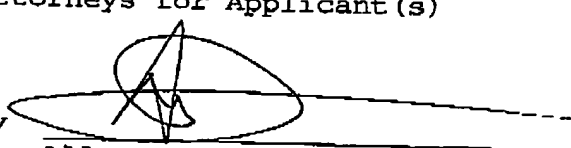
As discussed with the examiner on the telephone, attached hereto is the executed declaration of Dr. Peter Chumakov, which should be considered instead of the unexecuted draft declaration that was inadvertently submitted with the response to the Office Action of July 22, 2004, filed January 21, 2005.

Consideration of the present declaration in conjunction with applicants' amendment of January 21, 2005, and examination and allowance of all the claims now present in the case are earnestly solicited.

Respectfully submitted,

BROWDY AND NEIMARK, P.L.L.C.  
Attorneys for Applicant(s)

By

  
Allen C. Yun

Registration No. 37,971

ACY:jab

Telephone No.: (202) 628-5197

Facsimile No.: (202) 737-3528

G:\BN\Q\QBI\Einat4.1C\Pro\Amendment G.doc

In re of Appln. No. 09/802,472

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this **Communication** and  
**Declaration Under 37 C.F.R. §1.132** is being facsimile  
transmitted to the Patent and Trademark Office, on the date  
shown below.

Jonathan Brammer

Name

Jc B

Signature

February 1, 2005

Date